# **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

# Status of Claims:

Claims 1 and 9 are currently being canceled. Please note that these claims are being canceled in order to obtain a quick allowance of this application and not because Applicants agree with the rejections of these claims as made in the Office Action. Applicants reserve the right to prosecute these claims in a continuation or divisional application, if desired.

Claims 2, 3, 5-8 and 10 are currently being amended.

No claims are currently being added.

This amendment cancels and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 2-8 and 10 are now pending in this application.

# Indication of Allowable Subject Matter:

Applicants appreciate the indication of allowable subject matter made in the Office Action with respect to claims 2-8 and 10. By way of this amendment and reply, claims 2, 3, 5-8 and 10 have each been placed in independent form to include the features of their base claim (claim 1) and any intervening claims. Thus, claims 2-8 and 10 are now in condition for allowance (claim 4 depends from claim 3) based on the indications made in the Office Action.

#### Consideration of Information Disclosure Statements:

The Examiner is requested to evidence consideration of the Information Disclosure Statement (IDS) filed on September 18, 2000, by returning an initialed copy of the Form PTO-1449 that was submitted with the IDS. Also,

the Examiner is requested to consider the relevance of information provided in the Proprietary Information Disclosure Statement filed on September 18, 2000.

### Claim Rejections:

In the Office Action, claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,360,011 to Katsumata et al.; and claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsumata et al. in view of Japanese Laid Open Patent Application JP 406268786A to Miura. Due to the cancellation of claims 1 and 9 without prejudice or disclaimer, these rejections are now moot.

#### Conclusion:

Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

002.1228446.1

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 18,2004

FOLEY & LARDNER LLP

Customer Number: 22428 Telephone: (202) 945-6162

Facsimile: (202) 672-5399

Pavan K. Adarwal

Registration No. 40,888

Phillip J. Articola

Registration No. 38,819